

REMARKS

In accordance with the foregoing, claims 1, 11, 12, and 14 have been amended, and claims 21 and 22 have been added and are deemed patentable due at least to their depending from corresponding claims 11 and 12. Claims 1-3, 7-12, 14, and 16-22 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §102:

On pages 2-3 of the Office Action, the Examiner rejects claims 12 and 14 under 35 U.S.C. §102(e) as being anticipated by Ichihara (U.S. Patent 6,396,792). The rejection is respectfully traversed and reconsideration is requested.

While applicants do not necessarily agree with the Examiner's construction of Ichihara, as noted by the Examiner on page 9 of the Office Action, to the extent that Ichihara discloses a waveform of recording pulses having erasure steps Pc_1 and Pc_2 when an NRZI signal as shown in FIG. 1A is low, recording pulses including recording steps Pc_1 , Pa when the NRZI signal as shown in FIG. 1A is high, and a first one of the pulses after the NRZI signal changes to high has a level which is below the power level Pc_1 (and appears to be Pc), and increases into a second pulse having a level of Pa , there is no suggestion in Ichihara that "the low recording multi-pulse level is less than the low multi-pulse level of the erase pattern," and "a leading pulse of the erase pattern multi-pulse is set to the high multi-pulse level and a power level between an end pulse of the erase pattern multi-pulse and a first pulse of the recording pattern multi-pulse is set to the high multi-pulse level" as recited in claim 12. As such, it is respectfully submitted that Ichihara does not disclose or suggest the invention as recited in claim 12.

For at least similar reasons, it is respectfully submitted that Ichihara does not disclose or suggest the invention as recited in claim 14.

REJECTIONS UNDER 35 U.S.C. §103:

On pages 3-7 of the Office Action, the Examiner rejects claims 1-3 and 7-11 under 35 U.S.C. §103(a) in view of Ohno et al. (U.S. Patent No. 5,150,351) and Ichihara. The rejection is respectfully traversed and reconsideration is requested.

While applicants do not necessarily agree with the Examiner's construction of Ohno et al. and Ichihara or that a proper motivation to combine has been established, as noted by the Examiner on page 9 of the Office Action, the combination does not disclose, among other features, that "the low first multi-pulse power level is less than the low second multi-pulse power

level" and "a leading one of the second pulses is set to the low second multi-pulse power level and a power level of a period between an end of the second multi-pulse and a first one of the pulses of the first multi-pulse is set to the high second multi-pulse power level" as recited in claim 1. Therefore, it is respectfully requested that the Examiner reconsider and withdraw the rejection of claim 1.

For at least similar reasons, it is respectfully requested that the Examiner reconsider and withdraw the rejection of claim 11.

Claims 2, 3, and 7-10 are deemed patentable due at least to their depending from claim 1.

On pages 7-8 of the Office Action, the Examiner rejects claim 18 under 35 U.S.C. §103(a) in view of Ohno et al., Ichihara, and Miyamoto et al. (U.S. Patent Publication No. 2003/0053403). The rejection is respectfully traversed and reconsideration is requested.

Even assuming arguendo that the Examiner's characterization of Miyamoto et al. is correct, the Examiner does not rely upon Miyamoto et al. to cure the above noted deficiency of the combination of Ohno et al. and Ichihara as applied to claim 1, from which claim 18 depends. As such, it is respectfully submitted that Ohno et al., Ichihara, and Miyamoto et al. does not disclose or suggest the features of claim 18.

ALLOWABLE SUBJECT MATTER:

On pages 8-9 of the Office Action, the Examiner allows claims 16, 17, 19 and 20.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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